

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America,)	Criminal No.: 3:11-2303 (CMC)
)	
-versus-)	
)	
Robert James Pearson White,)	OPINION and ORDER
)	
Defendant.)	
)	
Marion and Wendy Mitchell,)	
)	
Claimants.)	
)	
Robert Pearson,)	
)	
Claimant.)	
_____)	

This matter is before the court on the forfeiture of certain real property included in the Order of Forfeiture entered in this matter on May 14, 2012. *See* Judgment and Preliminary Order of Forfeiture as to Robert James Pearson White (ECF No. 65). On June 29, 2012, Marion and Wendy Mitchell (“Mitchells”) filed a letter requesting an ancillary hearing. ECF No. 82. On July 12, 2012, Claimant Robert Pearson (“Pearson”) filed a request for ancillary hearing, contesting the forfeiture of the real property at issue. ECF No. 88. The court thereafter entered an order allowing the Government to pursue discovery in this matter.

On July 15, 2013, the Government filed a motion to strike Pearson’s claim. ECF No. 127. The Government also filed a motion for summary judgment as to Pearson’s claim. ECF No. 126. On August 26, 2013, the Government filed a motion to strike the Mitchells’ claim. ECF No. 131. As the Mitchells are proceeding *pro se* in this matter, the undersigned issued an order, similar to a

*Roseboro*¹ order, alerting the Mitchells to the Government's motion and providing information on how to respond, if they so chose. *See* ECF No. 132.

No response has been received from either the Mitchells or Pearson. Accordingly, for the reasons noted in the Government's motions, with which the court agrees and adopts, the Government's motion to strike the claim of Marion and Wendy Mitchell is **granted**. Additionally, the Government's motion for summary judgment is also **granted**. The Government's motion to strike Pearson's claim is **moot**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
October 23, 2013

¹*Rosoboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975).